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**Federal Communications Commission**

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Tacony Town Watch, Inc.	)	File No. EB-11-PA-0305
Licensee of Radio Service WPMP942	)	
Philadelphia, Pennsylvania	)	NOV No. V201232400019
	)	
	)	

**NOTICE OF VIOLATION**

**Released: January 6, 2012**

By the District Director, Philadelphia Office, Northeast Region, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's rules<sup>1</sup> to Tacony Town Watch, Inc. ("Tacony"), licensee of Private Land Mobile Station WPMP942 in Philadelphia, Pennsylvania.
2. On December 6, 2011, agents of the Commission's Philadelphia Office monitored Station WPMP942 in Philadelphia, Pennsylvania and observed the following violation:

47 C.F.R. § 1.903(a): "Stations in the Wireless Radio Services must be used and operated only in accordance with the rules applicable to their particular service as set forth in this title and with a valid authorization granted by the Commission under the provisions of this part, except as specified in paragraph (b) of this Section." Furthermore, 47 C.F.R. § 1.903(b) states: "The holding of an authorization does not create any rights beyond the terms, conditions and period specified in the authorization." The agents observed that Tacony was operating Station WPMP942 from an unauthorized location.<sup>2</sup>

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,<sup>3</sup> and Section 1.89 of the Commission's rules, Tacony Town Watch, Inc. must submit a written statement concerning this matter within 20 days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific action(s) taken to correct each violation and

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<sup>1</sup> 47 C.F.R. § 1.89.

<sup>2</sup> According to the license for Station WPMP942, Tacony is authorized to operate a repeater (FB7) on the frequency 463.3 MHz at Harrbison Street and Levick Street in Philadelphia, Pennsylvania at the coordinates 40° 02' 05.4" North Latitude 075° 03' 53.6" West Longitude in Philadelphia, Pennsylvania. The agents found that the station is actually operating near the coordinates 40° 01' 58.44" North Latitude 075° 03' 49.63" West Longitude.

<sup>3</sup> 47 U.S.C. § 308(b).

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preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by a principal or officer of Tacony Town Watch, Inc. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission  
Philadelphia Office  
One Oxford Valley Building, Suite 404  
2300 East Lincoln Highway  
Langhorne, Pennsylvania 19047

4. This Notice shall be sent by Certified Mail/Return Receipt Requested and regular mail to Tacony Town Watch, Inc. at its address of record.
5. The Privacy Act of 1974<sup>4</sup> requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.<sup>5</sup>

FEDERAL COMMUNICATIONS COMMISSION

David Dombrowski  
Acting District Director  
Philadelphia District Office  
Northeast Region  
Enforcement Bureau

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<sup>4</sup> P.L. 93-579, 5 U.S.C. § 552a(e)(3).

<sup>5</sup> 18 U.S.C. § 1001 *et seq.*